

AMENDED IN SENATE JUNE 13, 2012

AMENDED IN ASSEMBLY APRIL 24, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2368

Introduced by Assembly Member Block

February 24, 2012

An act to amend Section 38000 of the Education Code, relating to school security.

LEGISLATIVE COUNSEL'S DIGEST

AB 2368, as amended, Block. School security: security departments: school police departments.

Existing law authorizes the governing board of a school district to establish a security department under the supervision of a chief of security, or a police department under the supervision of a chief of police, and authorizes the governing board to employ personnel to ~~ensure~~ *enforce the law to ensure* the safety of school district personnel and pupils and the security of the real and personal property of the school district. Existing law expresses the intention of the Legislature that a school district police or security department is supplementary to city and county law enforcement agencies and is not vested with general police powers.

This bill would authorize the governing board of a school district to establish a school police department under the supervision of a school chief of police, and would authorize the employment of ~~personnel as necessary to enforce the law on or about the properties of the school district or when performing necessary duties with respect to pupils,~~

~~school district personnel, and properties of the school district peace officers, as defined, to ensure the safety of school district personnel and pupils, and the security of the real and personal property of the school district.~~ The bill would ~~instead~~ also express the intent of the Legislature that only a school district security department is supplementary to city and county law enforcement agencies and is not vested with general police powers.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 38000 of the Education Code is amended
2 to read:
3 38000. (a) The governing board of a school district may
4 establish a security department under the supervision of a chief of
5 security as designated by, and under the direction of, the
6 superintendent of the school district. In accordance with Chapter
7 5 (commencing with Section 45100) of Part 25, the governing
8 board of a school district may employ personnel to ensure the
9 safety of school district personnel and pupils and the security of
10 the real and personal property of the school district. It is the intent
11 of the Legislature in enacting this section that a school district
12 security department is supplementary to city and county law
13 enforcement agencies and is not vested with general police powers.
14 (b) The governing board of a school district may establish a
15 school police department under the supervision of a school chief
16 of police and, in accordance with Chapter 5 (commencing with
17 Section 45100) of Part 25, may employ ~~personnel as necessary to~~
18 ~~enforce the law on or about the properties of the school district or~~
19 ~~when performing necessary duties with respect to pupils, school~~
20 ~~district personnel, and properties of the school district peace~~
21 ~~officers, as defined by subdivision (b) of Section 830.32 of the~~
22 ~~Penal Code, to ensure the safety of school district personnel and~~
23 ~~pupils, and the security of the real and personal property of the~~
24 ~~school district.~~
25 (c) The governing board of a school district that establishes a
26 security department or a police department shall set minimum
27 qualifications of employment for the chief of security or school
28 chief of police, respectively, including, but not limited to, prior

1 employment as a peace officer or completion of a peace officer
2 training course approved by the Commission on Peace Officer
3 Standards and Training. A chief of security or school chief of
4 police shall comply with the prior employment or training
5 requirement set forth in this subdivision as of January 1, 1993, or
6 a date one year subsequent to the initial employment of the chief
7 of security or school chief of police by the school district,
8 whichever occurs later. This subdivision shall not be construed to
9 require the employment by a school district of additional personnel.
10 (d) A school district may assign a school police reserve officer
11 who is deputized pursuant to Section 35021.5 to a schoolsite to
12 supplement the duties of school police ~~personnel~~ *officer* pursuant
13 to this section.

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